

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:07MJ02087AGF
	)	
DORIAN CHALK,	)	
	)	
Defendant.	)	

**ORDER FINDING PROBABLE CAUSE  
AND ORDERING PRETRIAL DETENTION**

On June 12, 2007, Defendant was charged in a one count criminal complaint with being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). The government moved for pretrial detention and counsel was appointed to represent Defendant.

On June 15, 2007, the Court held a preliminary examination hearing and a hearing on the government's motion for pretrial detention. Defendant appeared and was represented by his attorney, Assistant Federal Public Defender Felicia Jones. The government was represented by Assistant United States Attorney Richard Poehling. The government presented the testimony of Officer Ramiro Martinez, Jr., who is employed with St. Louis Metropolitan Police Department. Based upon the evidence adduced at the preliminary examination, the Court finds probable cause to believe that the offense charged in the complaint was committed by Defendant, and Defendant will be held to answer the charges.

With regard to the issue of pretrial detention, neither party had any objections to the Pretrial Services Report (“PSR”) dated June 13, 2007, which the Court adopts and incorporates herein. The government has presented strong evidence of the charge against Defendant, and further presented evidence that at the time the officers located the firearms, they also located both illegal narcotics and items associated with the distribution of heroin. Defendant Chalk proffered to the Court that his relatives, many of whom were present in the courtroom, would attempt to assist with the posting of a bond.

The Court notes, however, that Defendant has no financial ties to this community, has provided conflicting information to the court regarding his residence, has a history of drug abuse, including the recent use of heroin, has multiple citations and arrests for failure to appear and fugitive misconduct, and is now facing very serious charges which could increase his incentive to flee. Defendant also poses a danger to the community for the reasons set forth in the PSR. In particular, the Court notes that Defendant committed the alleged offense while he was on probation supervision for a prior narcotics conviction. Further, based on the evidence, there is probable cause to believe that Defendant possessed four firearms, three of which were loaded, including a loaded assault rifle, and two of which had defaced serial numbers.

For the above reasons, and for the reasons set forth in the PSR, the Court finds by a preponderance of the evidence and by clear and convincing evidence, respectively, that there is no condition or combination of conditions that will adequately assure the appearance of Defendant and the safety of the community. 18 U.S.C. § 3142(e) and (f).

**THEREFORE, IT IS HEREBY ORDERED** that Defendant be held to answer any timely filed indictment, and this case is passed to **Tuesday, July 10, 2007, at 3:00 p.m.**, for a conference on the status of the prosecution before the undersigned United States Magistrate Judge.

**IT IS FURTHER ORDERED** that Defendant, Dorian Chalk, be detained pending trial.

**IT IS FURTHER ORDERED** that Defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; that Defendant be afforded reasonable opportunity for consultation with counsel; and that, on order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which Defendant is confined shall deliver Defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

  
AUDREY G. FLEISSIG  
United States Magistrate Judge

Dated this 15th day of June, 2007.